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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

APRIL ZACARIAS,

Plaintiff,

vs.

EXPERIAN INFORMATION
SOLUTIONS, INC., EQUIFAX
INFORMATION SERVICES, LLC, and
ALLIED COLLECTION SERVICES,
INC.,

Defendants.

Case No.: **2:23-cv-01621-JAD-DJA**

**DISCOVERY PLAN AND
PROPOSED SCHEDULING ORDER**

SPECIAL SCHEDULING REVIEW
REQUESTED

SUBMITTED IN COMPLIANCE WITH LR 26-1(b)

Plaintiff APRIL ZACARIAS and Defendants EXPERIAN INFORMATION
SOLUTIONS, INC. and EQUIFAX INFORMATION SERVICES, LLC¹, by and

¹ Plaintiff has accepted the Offer of Judgment served by Defendant Allied Collection Services, Inc., who has therefore not joined in the submission of this instant Discovery Plan and Scheduling Order.

through their counsel of record, hereby submit their stipulated Discovery Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 16 and 26, as well as LR 16-1 and 26-1.

It is hereby requested that the Court enter the following discovery plan and scheduling order:

1. Discovery Plan²:

Discovery Cut-Off	08/16/2024 (270 days from the date Defendant filed its Answer)
Deadline to Amend Pleadings	05/17/2024 (90 days prior to the close of discovery)
Deadline to Disclose Initial Expert Disclosures	06/17/2024 (60 days prior to the close of discovery)
Deadline to Disclose Rebuttal Expert Disclosures	07/17/2024 (30 days after the Initial Disclosure of Experts)
Deadline to File Dispositive Motions	09/16/2024 (30 days after the close of discovery)

3. Pre-Trial Order: The parties shall file a joint pretrial order no later than **10/16/2024** or thirty (30) days after the date set for filing dispositive motions. In the event that parties file dispositive motions, the date for filing the joint pretrial order

² The parties inadvertently never filed their proposed Discovery Plan and Scheduling Order back in January, so they never commenced discovery, making some of these deadlines outdated. The parties therefore jointly seek a short extension of the deadlines set forth in the Local Rules.

1 shall be suspended until thirty (30) days after decision on the dispositive motions or
2 further order of the Court.
3

4 **4. Extensions or Modifications of the Discovery Plan and Scheduling**

5 **Order:** Applications to extend any date set by the discovery plan, scheduling order,
6 or other order must comply with the Local Rules.
7

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9 **5. Initial Disclosures:** The parties shall make initial disclosures on or before
10 **05/06/2024.** Any party seeking damages shall comply Federal Rules of Civil Procedure
11 26(a)(1)(A)(iii).
12

13 **6. Protective Order:** The parties may seek to enter a stipulated protective order
14 pursuant to Rule 26(c) prior to producing any confidential documents.
15

16 **7. Electronic Service:** The parties agree that pursuant to Rules 5(b)(2)(E) and
17 6(d) of the Federal Rules of Civil Procedure any pleadings or other papers may be
18 served by sending such documents by email.
19

20 **8. Alternative Dispute Resolution Certification:** The parties certify that they
21 met and conferred about the possibility of using alternative dispute-resolution
22 processes including mediation, arbitration, early neutral evaluation. The parties have
23 not reached any stipulations at this stage.
24

25 **9. Alternative Forms of Case Disposition Certification:** The parties certify
26 that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c)
27
28

and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01). The parties have not reached any stipulations at this stage.

10. Electronically Stored Evidence.

The parties have discussed the retention and production of electronic data. The parties agree that service of discovery by electronic means, including sending original electronic files by email or on a CD is sufficient. The parties reserve the right to revisit this issue if a dispute or need arises.

11. Electronic Evidence Conference Certification: The parties further intend to present evidence in electronic format to jurors for the purposes of jury deliberations at trial. The parties discussed the presentation of evidence for juror deliberations but did not reach any stipulations as to the method at this early stage.

Dated April 2, 2024

<u>/s/Yitzchak Zelman, Esq.</u> Yitzchak Zelman, Esq. MARCUS & ZELMAN, LLC 701 Cookman Avenue, Suite 300 Asbury Park, New Jersey 07712 (845) 367-7146 yzelman@marcuszelman.com PRO HAC VICE Attorney for Plaintiff	<u>/s/ Jennifer L. Braster</u> Jennifer L. Braster, Esq. NAYLOR & BRASTER 10100 W. Charleston Blvd., Suite 120 Las Vegas, NV 89135 (702) 420-7000 jbraster@naylorandbrasterlaw.com Attorney for Defendant Experian Information Solutions, Inc.
	<u>/s/ Gia Marina</u> Gia Marina, Esq.

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SCHEDULING ORDER

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rule 16-1.

IT IS SO ORDERED



United States Magistrate Judge

Dated: __4/29/2024 ____